

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested. Claims 1-14 are pending and under consideration.

I. Objection to the Drawings

In the Office Action, at page 2, the Examiner objected to the drawings because Figs. 1-19, 21-39, and 43-44 do not show legends explaining the reference numerals used in the figures. Applicant respectfully submits that an explanation for each of the reference numerals used in these figures can be in the original specification as filed at pages 11-43 under the heading of Detailed Description of the Preferred Embodiments. Applicant respectfully submits that Figs. 1-19, 21-39, and 43-44 conform to the standards for drawings as set forth in 37 CFR 1.84. Therefore, Applicant respectfully requests withdrawal of these objections.

II. Rejections under 35 U.S.C. § 102

In the Office Action, at pages 2-4, claims 1, 6, 9-11, and 14 were rejected under 35 USC § 102(e) as being anticipated by Kobayashi (U.S. Patent Application No. 2002/0173281).

Kobayashi does not discuss or suggest “an auxiliary rotational part that rotates said second housing around an orthogonal shaft orthogonal to the rotational center axis of said hinge part,” as recited in claim 1. In other words, the invention of claim 1 provides a hinge part 130 creating a rotational center axis L1 for folding the second housing 110 over the first housing 120 *and* an auxiliary rotational part 101 that allows the second housing 110 to rotate relative to the first housing 120 along an *orthogonal rotational axis L2* that is *orthogonal* to the rotational center axis L1, thereby providing for the rotation of the second housing 110 along *two distinct axes* (Figs. 1-3A). In contrast, the portable telephone of Kobayashi provides for only one axis of rotation. Furthermore, the shaft 35 of Kobayashi, as relied on by the Examiner, does not provide for rotation along an axis orthogonal to a center axis. In fact, shaft 35 of Kobayashi is provided for rotation along a center axis and, therefore, is analogous to hinge part 130 of the invention of claim 1, and not auxiliary rotational part 101. Kobayashi does not provide for such auxiliary rotational part or auxiliary rotation therefrom.

Since Kobayashi does not discuss or suggest “an auxiliary rotational part that rotates said second housing around an orthogonal shaft orthogonal to the rotational center axis of said hinge part,” as recited in claim 1, claim 1 patentably distinguishes over Kobayashi. Accordingly, withdrawal of the § 102(e) rejection is respectfully requested.

Claims 6 and 9-11 depend either directly or indirectly from claim 1, and include all the features of claim 1, plus additional features that are not discussed or suggested by the reference relied upon. Therefore, claims 6 and 9-11 patentably distinguish over the reference relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 102(e) rejections is respectfully requested.

As discussed above, Kobayashi does not discuss or suggest “an auxiliary rotational part that rotates the second housing around an orthogonal shaft orthogonal to the rotational center axis of said one touch opening part,” as recited in claim 14. Therefore, claim 14 patentably distinguishes over Kobayashi. Accordingly, withdrawal of the § 102(e) rejection is respectfully requested.

III. Rejections under 35 U.S.C. § 103

In the Office Action, at pages 5-6, claims 2-5 were rejected under 35 USC § 103(a) as being unpatentable over Kobayashi in view of Takagi (U.S. Patent No. 6,330,331).

In the Office Action, at pages 6-7, claims 7-8 were rejected under 35 USC § 103(a) as being unpatentable over Kobayashi in view of Kuroda (U.S. Patent Application No. 2003/0036365).

In the Office Action, at pages 7-8, claims 12-13 were rejected under 35 USC § 103(a) as being unpatentable over Kobayashi in view of Kawamoto (U.S. Patent No. 6,952,860).

As discussed above, Kobayashi does not discuss or suggest all of the features of independent claim 1. Claims 2-5, 7-8, and 12-13 depend either directly or indirectly from claim 1, and include all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 2-5, 7-8, and 12-13 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

IV. New Claim

New claim 15 has been added. None of the references cited by the Examiner discuss or suggest “an auxiliary rotational part that rotates said second housing around an orthogonal shaft orthogonal to the rotational center axis of said hinge part,” as recited in claim 15. Therefore, new claim 15 patentably distinguishes over the reference relied upon. Thus, it is submitted that new claims 15 is in a condition suitable for allowance.

CONCLUSION

Claims 1-14 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

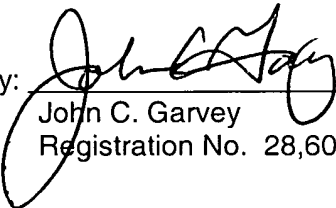
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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